

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF OHIO  
WESTERN DIVISION

QUINCY M. ROBINSON  
d/b/a MAJESTIC CONSTRUCTION  
COMPANY,

Plaintiff

v.

C-1-11-352

OHIO HOUSING FINANCE  
AGENCY, *et al.*,

Defendants

This matter is before the Court upon the Report and Recommendation of the United States Magistrate Judge (doc. no. 14), plaintiffs' objections (doc. no. 18), defendant Ohio Housing Finance Agency's Memorandum in Opposition to Plaintiff's Objections (doc. no. 20) and Response to Plaintiff's Objections filed by defendants Villas of the Valley Limited Partnership and CFS Construction, Inc. d/b/a Model Construction, LLC (doc. no. 21). The Magistrate Judge recommended that the Motion to Dismiss filed by defendants Villas of the Valley Limited Partnership and CFS Construction, Inc. (doc. no. 8) should be granted;

plaintiff's federal claims against all defendants should be dismissed for failure to state a claim entitling him to relief; plaintiff's state law claims should be dismissed without prejudice for lack of jurisdiction; and the state law counterclaim of defendant Villas of the Valley Construction, LLC should be dismissed without prejudice for lack of jurisdiction. The Magistrate Judge further recommended that this case should be dismissed on the docket of this Court.

Plaintiff objects to the Judge's Report and Recommendation on the grounds that her findings are contrary to law.<sup>1</sup>

### CONCLUSION

Upon a *de novo* review of the record, especially in light of plaintiff's objections, the Court finds that plaintiff's objections have either been adequately addressed and properly disposed of by the Judge or present no particularized arguments that warrant specific responses by this Court. The Court finds that the Magistrate Judge has accurately set forth the controlling principles of law and properly applied them to the particular facts of this case and agrees with the Judge.

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<sup>1</sup>At page 3, the Report and Recommendation is modified so that the citation, 40 U.S.C. § 1311.25(F), is deleted and the citation, 40 U.S.C. § 3142, is inserted.

Accordingly, the Court hereby ADOPTS AND INCORPORATES BY REFERENCE HEREIN the Report and Recommendation AS MODIFIED of the United States Magistrate Judge (doc. no. 14). The Motion to Dismiss filed by defendants Villas of the Valley Limited Partnership and CFS Construction, Inc. (doc. no. 8) is GRANTED; plaintiff's federal claims against all defendants are DISMISSED for failure to state a claim entitling him to relief; plaintiff's state law claims are DISMISSED without prejudice for lack of jurisdiction; and the state law counterclaim of defendant Villas of the Valley Construction, LLC is DISMISSED without prejudice for lack of jurisdiction.

This case is DISMISSED AND TERMINATED on the docket of this Court.

IT IS SO ORDERED.

s/Herman J. Weber  
Herman J. Weber, Senior Judge  
United States District Court